

Court of Appeals, State of Michigan

ORDER

Dianne Tremblay v Civil Service Commission

Docket No. 298038

LC No. 09-010696-AA

Stephen L. Borrello
Presiding Judge

Donald S. Owens

Michael J. Kelly
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the application for leave to appeal, the Court orders that the April 22, 2010 order of the circuit court is REVERSED. The administrative decision was authorized by law. Const 1963, art 6, § 28; *Carleton Sportsman's Club v Exeter Twp*, 217 Mich App 195, 200-201; 550 NW2d 867 (1996). Where no contested case hearing was held by the agency, the court erred in reviewing the evidentiary basis for the agency decision. *Brandon School District v Michigan Ed Special Services Assn*, 191 Mich App 257, 263; 477 NW2d 138 (1991).

We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 29 2010

Date

Sandra Schultz Mengel
Chief Clerk